



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

April 18, 1996

Mark R. Feather, Esq.
Brown, Todd & Heyburn
3200 Providian Center
Louisville, Kentucky 40202-3363

SUBJ: Proposed Settlement in U.S. v. Hardy, et al.

Dear Mr. Feather:

As you and Mr. Hardy know, EPA and the Department of Justice have conditioned their willingness to enter into the proposed consent decree with Mr. Hardy on Mr. Hardy's full and complete financial disclosure. You have indicated that Mr. Hardy is willing to provide the various personal, corporate, partnership and Foundation records and documents he identified during our settlement discussions over the past several months. Therefore, EPA and DOJ again request Mr. Hardy to produce the following such documents and records for our review:

- (1) Kentucky State Bar records pertaining to the investigation of Mr. Hardy's relationship to and work for the Hofgesang Foundation;
- (2) Mr. Hardy's 1995 federal income tax return;
- (3) All of the Hofgesang Foundation's records, including, but not limited to, records pertaining to sales, distributions, mortgages, loans, payments, services, and other financial transactions since 1988;
- (4) All of the Fireside Building, Inc. records, including but not limited to, checking/savings accounts, deposit slips, and payments made by Fireside on behalf of Mr. Hardy;
- (5) All of the 209 S. Fifth Associates partnership records;
- (6) Documents pertaining to the establishment and funding of the children's trust fund.

Since we do not know how many documents will be produced, it is presently impossible for us to determine how much time we will need to spend in Louisville reviewing the documents. Therefore, we would appreciate your contacting us as soon as possible after you gather the documents to advise us on the volume. Also, we would prefer that all the documents be made available in one

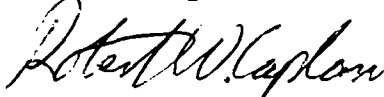


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location with sufficient room to allow us to conduct our review. Once we have heard from you about the volume of documents, we will schedule a convenient time for the review.

We appreciate your efforts to bring this matter to a close.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robert W. Caplan".

Robert W. Caplan
Associate Regional Counsel

cc: James MacArael, DOJ